

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

OPTIMORPHIX, INC.,

Plaintiff,

v.

BROADCOM, INC.,

Defendant.

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Civil Action No. 5-23-cv-00134

JURY TRIAL DEMANDED

DEFENDANT CA, INC.'S UNOPPOSED MOTION TO AMEND CASE CAPTION

Defendant CA, Inc. (“CA”) respectfully moves the Court to amend the case caption in the above-captioned case to reflect that CA, Inc. has been substituted for Broadcom, Inc. as the sole Defendant in the above-captioned case, and shows as follows:

1. On November 20, 2023, Plaintiff OptiMorphix, Inc. (“OptiMorphix”) filed the Original Complaint in the above-captioned case, which named Broadcom Inc. (“Broadcom”) as the sole Defendant. *See* Dkt. 1.

2. On January 26, 2024, Broadcom filed a motion to dismiss that Original Complaint on various grounds, including, but not limited to, both improper venue under Fed. R. Civ. P. 12(b)(3) and insufficient service of process under Fed. R. Civ. P. 12(b)(5). *See* Dkt. 13.

3. In response thereto, on February 23, 2024, OptiMorphix filed an Unopposed Motion for Leave to File a First Amended Complaint “to substitute CA for Broadcom.” Dkt. 22.

4. On February 23, 2024, OptiMorphix also filed a First Amended Complaint for Patent Infringement, in which OptiMorphix identified CA as the sole Defendant. Dkt. 23.

5. On February 26, 2024, the Court granted OptiMorphix's Unopposed Motion for Leave to File a First Amended Complaint. Dkt. 25.

6. In view of the foregoing, CA respectfully requests (and OptiMorphix does not oppose) that the case caption in the above-captioned case be amended as shown below:

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JURY TRIAL DEMANDED

Dated: March 8, 2024

Respectfully submitted,

**KILPATRICK, TOWNSEND &
STOCKTON LLP**

/s/ Kristopher L. Reed

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Counsel for Defendant CA, Inc.

CERTIFICATE OF CONFERENCE

Pursuant to LR CV-7(h) counsel for Defendant CA, Inc. (“CA”) has complied with the meet and confer requirement of this rule. Counsel for Defendant CA further states that Kristopher Reed met and conferred with Daniel Hipkind, counsel for the Plaintiff, and Plaintiff does not oppose the motion submitted herewith.

/s/ Kristopher L. Reed

Kristopher L. Reed

CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing via the Court’s CM/ECF system per Local Rule CV-5(a)(3) on March 8, 2024.

/s/ Kristopher L. Reed

Kristopher L. Reed